

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

DEBRA K. ALLINGER,

Plaintiff,

v.

UNITED STATES FEDERAL GOVERNMENT,

Defendant.

No. 3:24-cv-01367-SB

OPINION AND ORDER

BAGGIO, J.,

On 8/20/2024, Magistrate Judge Stacie F. Beckerman issued her Findings and Recommendation (F&R) [ECF 5], recommending that the Court dismiss Plaintiff's complaint without prejudice but without leave to re-file in the District of Oregon because venue is improper in this district. Plaintiff objected on 9/16/2024. [ECF 8].

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. 28 U.S.C. § 636(b)(1)(B). If a party objects, the court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendation to which objection is made." *Id.* § 636(b)(1)(C). The court is not, however, required to review, de novo or under any other standard, the factual or legal conclusions of the

magistrate judge as to those portions of the F&R to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Ramos*, 65 F.4th 427, 433 (9th Cir. 2023). While the level of scrutiny that the court applies to its F&R review depends on whether a party has filed objections, the court is free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C); *see also Thomas*, 474 U.S. at 154.

Upon review, the Court agrees with Judge Stacie F. Beckerman's recommendation and ADOPTS the F&R [ECF 5] in full.

IT IS SO ORDERED.

DATED this 21st day of October, 2024.

Amy M. Baggio
AMY M. BAGGIO
United States District Judge